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June 23, 2020

Re: *United States v. Harvey Jackson* (1:19-cr-00492) (RA)

Dear Judge Abrams:

We are writing respectfully to request that Harvey Jackson's sentencing, which was rescheduled for July 9, 2020 at 11:00 a.m., be moved to this Thursday, June 25 at 9:00 a.m., and conducted via telephone because video conferencing is not reasonably available. We have spoken with Mr. Jackson and he consents to resume his sentencing via telephone, and is willing to be allocuted by the Court on this point.

Under the CARES Act, felony sentencings may be conducted by telephone if video conferencing is not reasonably available. *See* CARES Act, H.R. 728, 116th Cong. § 15002(b)(2)(A) (2020). MDC Legal informed us today that although video conferencing is not available for Mr. Jackson until July 9, they are willing and able to make him available for sentencing by telephone as soon as this Thursday at 9:00 a.m.

Cahill Gordon & Reindel LLP

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As the Court is aware, due to Mr. Jackson's health conditions, including asthma, hypertension, and obesity, as well as apparently worsening conditions at the MDC – which now appear to include at least one inmate in Mr. Jackson's cell block being diagnosed with COVID-19 in the last week¹ – we are seeking Mr. Jackson's release on a sentence of time served. To permit the sentence to proceed as expeditiously as possible, and because video conferencing is not reasonably available before July 9, we respectfully request that, with Mr. Jackson's consent, he be sentenced by teleconference at the Court's earliest convenience.

Respectfully submitted,

/s/
Anirudh Bansal
Scott B. Singer

cc: Jun Xiang, AUSA
United States Attorney's Office
Southern District of New York
One St. Andrew's Plaza
New York, New York 10007

Application granted. The sentence is scheduled for June 25, 2020 at 9:00 a.m. and shall be held by telephone. The parties are directed to dial in to (888) 363-4749, access code 1015508.

SO ORDERED.



Hon. Ronnie Abrams
6/24/2020

¹ MDC Legal was unwilling to confirm this, but Mr. Jackson was informed of the apparent diagnoses by fellow inmates and corrections officers on Friday June 19, several days after numerous inmates in Mr. Jackson's cell block were tested for COVID-19.